

09-0-0996

AN ORDINANCE

BY COUNCILMEMBERS JIM MADDOX AND CLETA WINSLOW

AS SUBSTITUTED AND AMENDED BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING PART 1, SUBPART A, ARTICLE IV (COURTS); WHICH SHALL BE SECTION 4-118, TO BE ENTITLED SENIOR JUDGE SO AS TO CREATE THE POSITION OF SENIOR JUDGE OF THE MUNICIPAL COURT, TO SET FORTH THE DUTIES THEREOF, AND TO SET FORTH THE COMPENSATION TO BE PAID THERETO; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

**Whereas**, the Charter of the City of Atlanta Georgia, 1996 Ga Laws P. 4469 et. seq., (hereinafter, "the Charter") establishes the legislative power of the governing authority (hereinafter "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

**Whereas**, it is the intent of Council to add a new section of the Charter; Article 4, which shall read: Section 4-118. Senior Judge; and

**Whereas**, a Senior Judge shall be any Municipal Court Judge who retires in good standing after July 1, 2009; and

**Whereas**, the function for the Senior Judge shall be the same as any Municipal Court Judge; and

**Whereas**, the compensation for a Senior Judge shall be approved by Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That Part 1, Subpart A, Article IV of the Charter Of The City Of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., be amended to add a new section 4-118, which shall read as follows:

Section 4-118. Senior Judge

*(a) Creation.* Any Municipal Court Judge who retires in good standing after July 1, 2009, shall be a Senior Judge of the Atlanta Municipal Court

*(b) Duties.* The Senior Judge who retires shall continue to be in good standing with

the State Bar of Georgia and shall be authorized to sit and function as a Municipal Court Judge in the event of emergency or necessity of the court at the request of the Municipal Court's Chief Judge.

*(c) Compensation.* Any compensation provided for this service shall be approved by the Atlanta City Council.

**SECTION 2:** That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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Whereas, the Charter of the City of Atlanta Georgia, 1996 Ga Laws P. 4469 et. seq., (hereinafter, "the Charter") establishes the legislative power of the governing authority (hereinafter "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

Whereas, it is the intent of Council to add a new section of the Charter; Article 4, which shall read: Section 4-118. Senior Judge; and

Whereas, a Senior Judge shall be any Municipal Court Judge who retires or resigns in good standing after July 1, 2009; and

Whereas, the function for the Senior Judge shall be the same as any Municipal Court Judge; and

Whereas, the compensation for a Senior Judge shall be approved by Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That Part 1, Subpart A, Article IV of the Charter Of The City Of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., be amended to add a new section 4-118, which shall read as follows:

Section 4-118. Senior Judge

(a) *Creation.* Any Municipal Court Judge who retires or resigns in good standing after July 1, 2009, shall be a Senior Judge of the Atlanta Municipal Court

(b) *Duties.* The Senior Judge who retires or resigns shall continue to be in good standing with the State Bar of Georgia and shall be authorized to sit and function as a Municipal Court Judge in the event of emergency or necessity of the court at the request of the Municipal Court's Chief Judge.

(c) *Compensation.* Any compensation provided for this service shall be approved by the Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits.

**SECTION 2:** That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

**Exhibit "A"**

**NOTICE OF PROPOSED AMENDMENT  
TO THE CHARTER OF THE CITY OF ATLANTA**

Notice is hereby given that an Ordinance has been introduced to amend the Charter of the City of Atlanta (Ga. Laws, 1996, p. 4469, et seq.) approved April 15, 1996, as amended, said Ordinance being captioned as follows:

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING PART 1, SUBPART A, ARTICLE IV (COURTS); WHICH SHALL BE SECTION 4-118, TO BE ENTITLED SENIOR JUDGE SO AS TO CREATE THE POSITION OF SENIOR JUDGE OF THE MUNICIPAL COURT, TO SET FORTH THE DUTIES THEREOF, AND TO SET FORTH THE COMPENSATION TO BE PAID THERETO; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.**

A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

This \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta

**AN ORDINANCE BY COUNCILMEMBER JIM MADDOX  
AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE**

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING PART 1, SUBPART A, ARTICLE IV (COURTS); WHICH SHALL BE SECTION 4-118, TO BE ENTITLED SENIOR JUDGE SO AS TO CREATE THE POSITION OF SENIOR JUDGE OF THE MUNICIPAL COURT, TO SET FORTH THE DUTIES THEREOF, AND TO SET FORTH THE COMPENSATION TO BE PAID THERETO; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.**

**WHEREAS**, the Charter of the City of Atlanta Georgia, 1996 Ga Laws P. 4469 et. seq., (hereinafter, "the Charter") establishes the legislative power of the governing authority (hereinafter "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

**WHEREAS**, it is the intent of Council to add a new section of the Charter; Article 4, which shall read: Section 4-118. Senior Judge; and

**WHEREAS**, a Senior Judge shall be any Municipal Court Judge who retires or resigns in good standing after July 1, 2009; and

**WHEREAS**, the function for the Senior Judge shall be the same as any Municipal Court Judge; and

**WHEREAS**, the compensation for a Senior Judge shall be approved by Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That Part 1, Subpart A, Article IV of the Charter Of The City Of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., be amended to add a new section 4-118, which shall read as follows:

Section 4-118. Senior Judge

(a) *Creation.* Any Municipal Court Judge who retires or resigns in good standing after July 1, 2009, shall be a Senior Judge of the Atlanta Municipal Court

(b) *Duties.* The Senior Judge who retires or resigns shall continue to be in good standing with the State Bar of Georgia and shall be authorized to sit and function as a Municipal Court Judge in the event of emergency or necessity of the court at the request of the Municipal Court's Chief Judge.

(c) *Compensation.* Any compensation provided for this service shall be approved by the Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits.

**SECTION 2:** That Part 1, Subpart A, Article IV of the Charter Of The City Of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., be amended to add a new section 4-118, which shall read as follows:

**SECTION 3:** That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

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**NOTICE OF PROPOSED AMENDMENT  
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A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

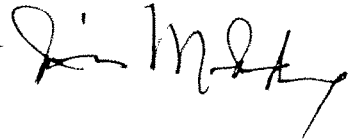
This \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta



AN ORDINANCE TO AMEND THE CITY OF ATLANTA CHARTER BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE



AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING PART 1, SUBPART A, ARTICLE IV (COURTS); WHICH SHALL BE SECTION 4-118, TO BE ENTITLED SENIOR JUDGE SO AS TO CREATE THE POSITION OF SENIOR JUDGE OF THE MUNICIPAL COURT, TO SET FORTH THE DUTIES THEREOF, AND TO SET FORTH THE COMPENSATION TO BE PAID THERETO; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

Whereas, the Charter of the City of Atlanta Georgia, 1996 Ga Laws P. 4469 et. seq., (hereinafter, "the Charter") establishes the legislative power of the governing authority (hereinafter "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

Whereas, it is the intent of Council to add a new section of the Charter; Article 4, which shall read: Section 4-118. Senior Judge; and

Whereas, the Senior Judge shall be any Associate Municipal Court Judge who retires or resigns in good standing; and

Whereas, the qualifications for the Senior Judge shall be the same as any Associate Municipal Court Judge; and

Whereas, the compensation for a Senior Judge shall be approved by Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That Part 1, Subpart A, Article IV of the Charter Of The City Of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., be amended to add a new section 4-118, which shall read as follows:

Section 4-118. Senior Judge

(a) *Creation.* Any Associate Municipal Court Judge retires or resigns in good standing shall be a Senior Judge of the Atlanta Municipal Court

(b) *Duties.* The Senior Judge who retires or resigns shall continue to be in good standing with the State Bar of Georgia and shall be authorized to sit and function

as a Municipal Court Judge in the event of emergency or necessity of the court at the request of the Chief Judge.

(c) *Compensation.* Any compensation provided for this service shall be approved by Atlanta City Council and shall not affect the right of any retired employee to collect pension or other retirement benefits.

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This \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Rhonda Dauphin Johnson  
Municipal Clerk  
City of Atlanta